

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DARIAN LUCAS,)
Petitioner,)
v.) C.A. No. 09-1167 Pittsburgh
)
CRAIG E. MARAVICH, et al,)
Respondents.)

MEMORANDUM ORDER

This petition for writ of habeas corpus was received by the Clerk of Court on August 28, 2009, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

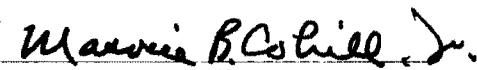
The magistrate judge's report and recommendation, filed on January 25, 2010, recommended that the petition for writ of habeas corpus, which petitioner has designated as a petition for writ of mandamus [3], be dismissed. The parties were allowed fourteen (14) days from the date of service to file objections. Service was made on Petitioner by certified mail at SCI Dallas, where he is incarcerated. Objections were filed by Petitioner on February 1, 2010.

After de novo review of the petition and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 22nd day of March, 2010,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus [3] is DISMISSED, with prejudice.

The report and recommendation of Magistrate Judge Baxter, dated January 22, 2010, is adopted as the opinion of the court.


Maurice B. Cohill, Jr.
United States District Court Judge

cc: DARIAN LUCAS
CS-2266
SCI Dallas
1000 Follies RD
Dallas, PA 18612

Parties of Record